



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,032	08/31/2001	Daniel Keele Burgin	FINL-004/00US	3032
22903	7590	12/10/2004	EXAMINER	
COOLEY GODWARD LLP ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700 ONE FREEDOM SQUARE- RESTON TOWN CENTER RESTON, VA 20190-5061			BRANCOLINI, JOHN R	
			ART UNIT	PAPER NUMBER
			2153	
DATE MAILED: 12/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/945,032	BURGIN ET AL.	
Examiner	Art Unit		
John R Brancolini	2153		

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 August 2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 August 2001 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

Claims 1-19 are currently pending in the application.

Priority

Application claims priority to US Provisional application 60/281637. The effective filing date of the application is April 5, 2001.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on November 8, 2001 was filed after the mailing date of the application on August 31, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

The information disclosure statement (IDS) submitted on April 23, 2002 was filed after the mailing date of the application on August 31, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

The information disclosure statement (IDS) submitted on October 23, 2002 was filed after the mailing date of the application on August 31, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

The information disclosure statement (IDS) submitted on April 15, 2003 was filed after the mailing date of the application on August 31, 2001. The submission is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 7, 12, 14 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regards to claims 2 and 12, the phrase "generally simultaneously" is seen as indefinite as it fails to create an adequate threshold of time for the events to occur.

With regards to claims 7 and 17, each states "passing the indication of a selection of the encoding of the first plurality of navigation links from the first frame to the second frame." However, it is previously claimed the second frame receives the indication, never mentioning that the first frame receives the indication. Therefore, it is unclear to the examiner how the first frame can pass the information to the second frame if the first frame never received the indication information.

Claim 14 recites the limitation "the plurality of instructions" in claim 1. There is insufficient antecedent basis for this limitation in the claim. For examination purposes, the examiner is assuming the claim is intended to read "The system of claim 11".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Nielsen (US Patent 5826031, published October 20, 1998).

In regards to claim 1, Nielsen discloses a method for operating a browser associated with an end-user, the method comprising:

- Retrieving content from a content provider that corresponds to a navigation location, wherein the retrieved content includes an embedded navigation link (the web file is retrieved, the web file includes one or more embedded objects or links, col 6 lines 50-64).
- Encoding the embedded navigation link (each embedded object, not found locally cached, is encoded into a listing file, which is sorted for retrieval by the server, col 7 lines 10-26).
- Replacing the embedded navigation link included in the retrieved content with the encoding of the embedded navigation link (after retrieving the objects, they are inserted into the original document for use by the end-user, col 7 lines 34-39).
- Providing modified content to the end-user, wherein the modified content includes at least a portion of the retrieved content and includes the encoding of

the embedded navigation link that replaced the embedded navigation link (after the embedded objects are retrieved, the data is acted upon by the browser, which is defined as displaying, playing or executing, which shows providing the modified content to the end-user, col 7 lines 34-39).

In regards to claim 2, Nielsen discloses providing the end-user support comprises:

- Providing secondary content to the user generally simultaneously with providing the modified content (as the web file is initially read, the browser leaves blank space for each embedded object, which the server then begins to simultaneously retrieve, at which time the whole web file is provided to the user, col 6 lines 50-64, col 7 lines 17-36).

In regards to claim 3, Nielsen discloses the secondary content is associated with a first domain and the modified content is associated with a second domain, and wherein encoding the embedded navigation link comprises:

- Changing one of the first domain and the second domain so that the secondary content and the modified content appear to originate from a common domain (as the web page is loaded by the browser, each embedded object is subsequently loaded and shown in the same browser window, displaying the same URL, which would cause the content to originate from a common domain, also the server

caches the embedded objects, so a second loading of the information would appear from the same domain, col 6 line 50 – col 7 line16).

In regards to claim 4, Nielsen discloses:

- Receiving at least an indication of a selection of the encoded navigation link (as the browser loads the web page, each instance of an embedded object is noted, col 6 lines 50-64).
- Decoding the at least an indication of the encoded navigation link (each indication is decoded and put into a prioritized listing, col 7 lines 10-26).
- Retrieving content corresponding to the decoded at least an indication of the encoded navigation link (each embedded object is then retrieved, col 7 lines 27-39).

In regards to claim 5, Nielsen discloses method for making event information associated with a first frame of a web browser available to a second frame of the web browser, wherein a first content originating from a first domain is associated with the first frame and a second content originating from a second domain is associated with the second frame (as the web page loads, separate spaces in the browser window are provided for each embedded object such as applets or videos, col 6 lines 50-64, Nielsen provides multiple frames by disclosing a reserved space in the browser window, having a width and height, where a separate HTML document [or applet or media file] can be displayed), the method comprising:

Art Unit: 2153

- Receiving the first content, the first content including a plurality of navigation links (the web file is retrieved, the web file includes one or more embedded objects or links, col 6 lines 50-64).
- Identifying a first of the plurality of navigation links (each embedded object, not found locally cached, is identified and encoded into a listing file, which is sorted for retrieval by the server, col 7 lines 10-26).
- Encoding the first of the plurality of navigation links to appear as if it originates from the second domain (as the web page is loaded by the browser, each embedded object is subsequently loaded and shown in the same browser window, displaying the same URL, which would cause the content to originate from a common domain, also the server caches the embedded objects, so a second loading of the information would appear from the same domain, col 6 line 50 – col 7 line16).
- Generating a modified content by replacing the first of the plurality of navigation links with the encoding of the first of the plurality of navigation links (after the embedded objects are retrieved, the data is acted upon by the browser, which is defined as displaying, playing or executing, which shows providing the modified content to the end-user, col 7 lines 34-39).
- Providing the modified content to the first frame of the web browser (when the objects are acted upon in the above step, they are displayed to the user).

In regards to claim 6, Nielsen discloses:

- Receiving, at the second frame, an indication of a selection of the encoding of the first of the plurality of navigation links (each embedded object is selected and loaded by the browser into the appropriate frame allotted for the object, col 6 lines 50-64).

In regards to claim 7, Nielsen discloses:

- Passing the indication of a selection of the encoding of the first of the plurality of navigation links from the first frame to the second frame (each embedded link is encoded from the initial HTML document, stored in a list, then retrieved and loaded into the second frame, the listing being an indication of each embedded object selected, col 7 lines 10-26).

In regards to claim 8, Nielsen discloses the first of the plurality of navigation links is associated with the first domain (the first of the links is associated with the initial web page, which is loaded from the first domain, col 6 lines 50-64).

In regards to claim 9, Nielsen discloses:

- Identifying a second navigation link, wherein the second navigation link is associated with a third domain, the third domain being different than the first domain (each embedded object can be from a domain different than the initial domain, as each embedded object is retrieved separately from remote sources, col 7 lines 10-26).

- Wherein the modified content comprises at least a portion of the first content, the encoding of the first of the plurality of navigation links, and a non-encoded second navigation link (the modified data initially includes the original content, and cached embedded objects, and links to the remote objects the server needs to retrieve, col 6 line 50 – col 7 line 16).

In regards to claim 10, Nielsen discloses:

Passing an event indicator from the first frame to the second frame (the browser acts upon each embedded object in the subsequent frames, whether by playing the media file or displaying an image, each of which requires an event indicator, col 7 lines 34-39).

In regards to claim 11, Nielsen discloses a system for operating a browser associated with an end-user, the system comprising:

- A processor (the computer system includes a processor, col 3 lines 33-36).
- A storage device connected to the processor (a primary storage device is also operably connected to the processor, col 3 lines 36-39).
- A plurality of instructions stored on the storage device, the plurality of instructions configured to cause the processor to:
 - Retrieve content from a content provider that corresponds to a navigation location, wherein the retrieved content includes an embedded navigation link (the web file is retrieved, the web file includes one or more embedded objects or links, col 6 lines 50-64).

- o Encode the embedded navigation link (each embedded object, not found locally cached, is encoded into a listing file, which is sorted for retrieval by the server, col 7 lines 10-26).
- o Replace the embedded navigation link included in the retrieved content with the encoding of the embedded navigation link (after retrieving the objects, they are inserted into the original document for use by the end-user, col 7 lines 34-39).
- o Provide modified content to the end-user, wherein the modified content includes at least a portion of the retrieved content and includes the encoding of the embedded navigation link that replaced the embedded navigation link (after the embedded objects are retrieved, the data is acted upon by the browser, which is defined as displaying, playing or executing, which shows providing the modified content to the end-user, col 7 lines 34-39).

In regards to claim 12, Nielsen discloses the plurality of instructions are configured to cause the processor to provide the end-user support by:

- Providing secondary content to the user generally simultaneously with providing the modified content (as the web file is initially read, the browser leaves blank space for each embedded object, which the server then begins to simultaneously retrieve, at which time the whole web file is provided to the user, col 6 lines 50-64, col 7 lines 17-36).

In regards to claim 13, Nielsen discloses the secondary content is associated with a first domain and the modified content is associated with a second domain, and wherein plurality of instructions are configured to cause the processor to encode the embedded navigation link by:

- Changing one of the first domain and the second domain so that the secondary content and the modified content appear to originate from a common domain (as the web page is loaded by the browser, each embedded object is subsequently loaded and shown in the same browser, displaying the same URL, which would cause the content to originate from a common domain, also the server caches the embedded objects, so a second loading of the information would appear from the same domain, col 6 line 50 – col 7 line16).

In regards to claim 14, Nielsen discloses the plurality of instructions are configured to cause the processor to:

- Receive at least an indication of a selection of the encoded navigation link (as the browser loads the web page, each instance of an embedded object is noted, col 6 lines 50-64).
- Decode file at least an indication of the encoded navigation link (each indication is decoded and put into a prioritized listing, col 7 lines 10-26).

- Retrieve content corresponding to the decoded at least an indication of the encoded navigation link (each embedded object is then retrieved, col 7 lines 27-39).

In regards to claim 15, Nielsen discloses a system for making event information associated with a first frame of a web browser available to a second frame of the web browser, wherein a first content originating from a first domain is associated with the first frame and a second content originating from a second domain is associated with the second frame (as the web page loads, separate spaces in the browser window are provided for each embedded object such as applets or videos, col 6 lines 50-64, Nielsen provides multiple frames by disclosing a reserved space in the browser window, having a width and height, where a separate HTML document [or applet or media file] can be displayed), the system comprising:

- Means for receiving the first content, the first content including a plurality of navigation links (the web file is retrieved, the web file includes one or more embedded objects or links, col 6 lines 50-64).
- Means for identifying a first of the plurality of navigation links (each embedded object, not found locally cached, is identified and encoded into a listing file, which is sorted for retrieval by the server, col 7 lines 10-26).
- Means encoding the first of the plurality of navigation links to appear as if it originates from the second domain (as the web page is loaded by the browser, each embedded object is subsequently loaded and shown in the same browser

window, displaying the same URL, which would cause the content to originate from a common domain, also the server caches the embedded objects, so a second loading of the information would appear from the same domain, col 6 line 50 – col 7 line16).

- Means for generating a modified content by replacing the first of the plurality of navigation links with the encoding of the first of the plurality of navigation links (after the embedded objects are retrieved, the data is acted upon by the browser, which is defined as displaying, playing or executing, which shows providing the modified content to the end-user, col 7 lines 34-39).
- Means for providing the modified content to the first frame of the web browser (when the objects are acted upon in the above step, they are displayed to the user).

In regards to claim 16, Nielsen discloses:

- Means for receiving, at the second frame, an indication of a selection of the encoding of the first of the plurality of navigation links (each embedded object is selected and loaded by the browser into the appropriate frame allotted for the object, col 6 lines 50-64).

In regards to claim 17, Nielsen discloses:

- Means for passing the indication of a selection of the encoding of the first of the plurality of navigation links from the first frame to the second frame (each

embedded link is encoded from the initial HTML document, stored in a list, then retrieved and loaded into the second frame, the listing being an indication of each embedded object selected, col 7 lines 10-26).

In regards to claim 18, Nielsen discloses:

- Means for identifying a second navigation link, wherein the second navigation link is associated with a third domain, the third domain being different than the first domain (each embedded object can be from a domain different than the initial domain, as each embedded object is retrieved separately from remote sources, col 7 lines 10-26).
- Wherein the modified content comprises at least a portion of the first content, the encoding of the first of the plurality of navigation links, and a non-encoded second navigation link (the modified data initially includes the original content, and cached embedded objects, and links to the remote objects the server needs to retrieve, col 6 line 50 – col 7 line 16).

In regards to claim 19, Nielsen discloses:

- Means for passing an event indicator from the first frame to the second frame (the browser acts upon each embedded object in the subsequent frames, whether by playing the media file or displaying an image, each of which requires an event indicator, col 7 lines 34-39).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Bates et al. (US Patent 6820236), a click ahead browser function which synchronizes links in one frame with documents loading in another frame to allow a user to further select information as they browse documents.
- Eilbott et al. (US Patent 6553393), a method of prefetching embedded objects in a data stream, as the stream of data is being downloaded for display, embedded objects are also selectively fetched to synchronize the display data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R Brancolini whose telephone number is (571) 272-3948. The examiner can normally be reached on M-Th 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JRB


GLANTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100